POLICY G008: PROTECTION FROM SEXUAL EXPLOITATION, ABUSE AND HARASSMENT (PSEAH)

Responsible person:	CEO	Version:	2.3
Approved by Board of Directors on:	23 October 2019	Scheduled review date:	November 2027

PREAMBLE

This policy was written by So They Can (Australian Entity) in Australia for use across all So They Can offices. So They Can operates six offices registered in each of Australia, Kenya, Tanzania, New Zealand, England & Wales and the USA, which are part of the So They Can Global Alliance. In this policy, 'CEO' means CEO of So They Can (Australian Entity). Unless specified otherwise the 'Board' refers to the board of So They Can (Australian Entity). This policy is intended for all So They Can staff, Board members and volunteers, in all 6 So They Can offices. So They Can procedures are consistent with So They Can policies.

DEFINITIONS

Sexual harassment - Unwelcome physical, verbal or non-verbal conduct of a sexual nature that can include indecent remarks or sexual demands. Unwelcome means behaviours that are not solicited or invited and are regarded by a person as undesirable or offensive at the time. It can be obvious or indirect, physical or verbal, repeated or one-off and perpetrated by any person of any gender towards any person of any gender.

Behaviour constituting sexual harassment include but is not limited to:

- Sex-oriented remarks or abuse;
- Offensive gestures or comments;
- Unwanted and deliberate physical contact;
- Promise of preferential treatment or threat of detrimental treatment in return for sex;
- Use of pictures/posters/videos of a sexual or intimate nature;
- Persistent and unwelcome social invitations, phone calls or mail; or
- Obscene phone calls.

Harassment - is unwanted behaviour from another person that is intimidating, malicious, offensive, insulting, humiliating or degrading. Harassment includes verbal or written communications, visual material or physical behaviour that is:

- Unwelcome or offensive to the person (whether or not the harasser is told that the behaviour is unwelcome or offensive); and
- Repeated, or so significant that it has a detrimental effect on that person, their employment, job performance or job satisfaction.

Examples of harassment include, but are not limited to:

- Insulting someone, particularly on the grounds of his or her age, race, sex, disability, sexual orientation or religion;

- Making fun of someone or putting them down;
- Excluding or isolating someone from work or social activities;
- Picking on someone because they have made a previous complaint of harassment;
- Unwelcome flirtation or sexual advances;
- Touching or standing too close when not invited to;
- Displaying or circulating offensive materials (rude, racist or sexual pictures or cartoons);
- Making decisions on the basis of sexual favours being accepted or rejected;
- Making inappropriate jokes or comments; and
- Bullying, misuse of power or a position of authority.

Sexual exploitation: Any actual or attempted abuse of a position of vulnerability, differential power, or trust for sexual purposes. It includes profiting monetarily, socially, or politically from sexual exploitation of another. (Source: the UN Secretary General's Bulletin on protection from sexual exploitation and abuse.)

Sexual abuse: The actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions. (Source: the UN Secretary General's Bulletin on protection from sexual exploitation and abuse.)

Transactional sex: The exchange of money, employment, goods, services or other benefit for sex, including sexual favours.

Fraternisation: any intimate or social relationship occurring in the course of conducting business. This could involve – or appear to involve – partiality, preferential treatment or improper use of rank or position, including but not limited to consensual sexual behaviour. Any relationship that involves, or appears to involve, partiality, preferential treatment or improper use of rank or position including but not limited to voluntary sexual behaviour. It could include sexual behaviour not amounting to intercourse, a close and emotional relationship involving public displays of affection or private intimacy and the public expression of intimate relations.

So They Can representative – are all individuals and institutions who act on behalf of So They Can regardless of whether or not there is a formal legal agreement between them and So They Can. This includes, but is not limited to, all trustees, members, directors, employees, contractors, consultants, advisors, volunteers and implementing partners irrespective of which country their role is situated.

Victim-survivor: Victim-survivor is a term used to describe a person who is, or has been, sexually exploited, abused or harassed. The term 'victim-survivor' acknowledges both the harm suffered (victim) and the resilience or agency of the individual in coping with the aftermath (survivor). This term emphasises a supportive, rights-based approach to addressing their needs and upholding their dignity throughout the reporting and response process.

POLICY

So They Can takes sexual exploitation, harassment and abuse (SEAH) very seriously and So They Can's priority focus is to prevent them from occurring. So They Can is committed to incorporating the risk of SEAH

into existing risk management practices and processes; that is, the identification of all potential risks in a business activity and taking steps to manage risks.

So They Can is committed to actively addressing all cases of SEAH that occur in the course of its business. This policy focuses on developing shared responsibility across the organisation and creating a positive culture non- discriminatory and respectful behaviour, where misconduct is not accepted, where power is not abused and vulnerabilities and power inequality are not exploited.

Through this policy So They Can commits to ensuring that safeguarding measures are embedded, accessible and clearly communicated to So They Can staff, partners, vulnerable adults and their communities, in languages and formats they understand.

All So They Can Representatives and partners are required to comply with the principles, procedures and reporting requirements specified in this policy.

POLICY PRINCIPLES

This policy is underpinned by the following principles outlined below.

Principle 1: Zero tolerance for SEAH

So They Can has zero tolerance for sexual exploitation, abuse and harassment in all aspects of its work. This means zero tolerance for acts of SEAH and zero tolerance for inaction to prevent, report or respond to SEAH.

So They Can defines zero tolerance as acting on every allegation in a fair and reasonable way with due regard for procedural fairness.

Principle 2: Shared responsibility

Protection from SEAH is everyone's responsibility. So They Can requires the commitment, support and investment of its Representatives and partners for this policy to be effective. All organisations have a responsibility to build their capacity to deal sensitively and effectively with SEAH that occurs in the course of their work.

Principle 3: Victim/survivor centred approach to SEAH prevention and response

Action to address SEAH should be underpinned by a "do no harm" approach prioritising the rights, needs, and wishes of the victim/survivor, while ensuring procedural fairness to all parties. This approach:

- treats the victim/survivor with dignity and respect
- involves the victim/survivor in decision making
- provides the victim/survivor with comprehensive information
- protects privacy and confidentiality
- does not discriminate based on gender, age, race/ethnicity, ability, sexual orientation, or other characteristics
- considers the need for counselling and health services to assist the victim/survivor with their recovery.

Principle 4: Promote inclusion and equity and recognise diversity

Gender inequality and other imbalances based on the distinctions of worker/beneficiary, ability/disability, ethnic and indigenous status, religion, gender identity and sexual orientation, age, health and poverty, can increase the risk of SEAH. Engagement with intended participants should be based on respect for diversity, promotion of gender equality and social inclusion, accountability, and a strong "do no harm" focus. Efforts must address barriers to participation, protection, reporting and support such as language, safety, discrimination and accessibility.

Although they are not in scope for this Policy, children are at high risk of SEAH — particularly children with disability, children living in residential or institutional care, children who have experienced previous trauma or abuse, and gender diverse children and young people. So They Can's commitment to safeguarding children from SEAH is covered by So They Can's Child Protection Policy.

Principle 5: Prioritise prevention

So They Can and partners must be proactive in minimising the risk of SEAH and creating safe environments in all contexts, both in the physical environment and online. Actions to prevent SEAH and promote safety must be embedded in policies, programs, recruitment, staff training and daily operations to minimise risks.

Principle 6: Adopt an empowering and participatory approach

A participatory approach builds trust, increases relevance and promotes shared responsibility for safeguarding. People in communities, especially women, girls, and other groups in vulnerable situations, play a vital role in safeguarding efforts. Organisations must consult these stakeholders when assessing SEAH risk and in developing effective, culturally relevant measures to prevent SEAH. Approaches should build on existing community and national mechanisms where these are already established and trusted.

Principle 7: Reporting incidents is mandatory

Immediate reporting of SEAH incidents and concerns is mandatory. Any suspected, alleged or known SEAH incidents related to DFAT funded projects must be reported to DFAT within 24 hours. Reporting and response mechanisms must be clear, accessible and confidential. Reporting mechanisms must ensure that those who raise concerns are protected and that concerns are addressed effectively and in a timely and appropriate manner.

Principle 8: Safeguarding is embedded into organisational culture and leadership

SEAH in governance, leadership and institutional culture. A strong safeguarding culture requires clear accountability, leadership commitment, investment of resources and continuous review and improvement of policies and practices.

PROCEDURES

Risk-Based approach

This policy takes a risk-based, proportional approach to Prevention of Sexual Exploitation, Abuse and Harassment (PSEAH). So They Can staff and partners must assess the level of risk for SEAH occurring, and apply Protection from SEAH Standards adopted from DFAT (Attachment A) commensurate with the level of risk identified. Based on the risk assessment ascertains whether an organisation is obliged to Essential or Comprehensive PSEAH Standards.

As an organisation that delivers development programs in high SEAH risks settings where unequal power dynamics exits, So They Can is committed to upholding Comprehensive PSEAH standards across all its programs.

As outlined in its Partnership and Locally Led Development Policy, So They Can is committed to providing capacity building and technical assistance to downstream partners to implement requirements of the Essential or Comprehensive PSEAH standards based on their risk assessment.

Recruitment and employment Practices

So They Can's commitment to the PSEAH is demonstrated through the strict guidelines relating to the recruitment and screening procedures as outlined in So They Can's Recruitment Policy. These include criminal records checks, counter terrorism screening and at least 2 verbal reference checks for all volunteers and, in addition, ,and at least 2 verbal reference checks for all employees.

So They Can PSEAH and other key policies are consolidated into an Employee Handbook that any incumbent employee or volunteer is obligated to read and sign a declaration of compliance with. The compulsory obligation to comply with PSEAH and other key So They Can policies is incorporated into employment contract alongside with consequences of breach of any of these policies.

Reporting

Immediate reporting of any suspected, alleged of known cases of SEAH perpetrated by anyone within scope of this policy is mandatory for all So They Can representatives.

Suspected, alleged or known cases of SEAH must be reported to the So They Can Executive Management and to DFAT via seah.reports@dfat.gov.au, within 24 hours. Reports can be made verbally, in writing or via reporting platform Whispli using the following link https to://app.whispli.com/SoTheyCan also available on the So They Can website.

They can be addressed:

- the PSEAH focal person
- their immediate manager or another manager
- the CEO of So They Can directly
- any member of the So They Can Board of Directors
- a trusted person, colleague or friend, who is willing to support them to raise a concern and/or test their perception of events
- using the following link https to://app.whispli.com/SoTheyCan also available on the So They Can website.

In Australia the PSEAH focal person is the role of the Chief Operating Officer, in Kenya and Tanzania the role of So They Can Country Manager. A focal person provides a key role in raising awareness throughout your organisation and in coordinating, supporting and advising on the development and implementation of your PSEAH policy and practices.

The responsibilities of So They Can SEAH focal persons include:

- Promoting PSEAH policy widely within the organisation on a regular basis to ensure that all So They Can employees, volunteers, contractors and other So They Can representatives are aware of the policy and their rights and responsibilities and consequence of breaching the policy.
- Conducting regular training sessions on SEAH for So They Can employees, volunteers and contractors about recognising sexual harassment, what is, and what is not, sexual harassment, how to report concerns and how to use the complaint process.
- Incorporating the PSEAH policy and policy reviews into So They Can Employee Handbook which also contains expected Code of Conduct and which is a components of an induction process of new staff, volunteers, and contractors.
- Outline a commitment to developing materials that promote reporting mechanisms in languages and media that are appropriate and understandable to communities and contexts where your organisation is working.
- Working with So They Can partners to ensure their commitment to PSEAH and provide assistance with development and implementation PSEAH policy.

Where safe to do so, and when in accordance to the wishes of the victims, survivors and whistleblowers, all alleged SEAH incidents that involve a criminal aspect should be reported through the correct local law enforcement channels.
In accordance with Principle 3 — Victim/survivor needs are prioritised — victims' and survivors' safety and wellbeing must be paramount to reporting and their information treated confidentially. To protect the privacy of alleged perpetrators, victims/survivors, and whistleblowers, information provided to So They Can will be handled in accordance with the *Privacy Act 1988 (Cth).*

If in doubt, So They Can Representatives should report an alleged incident. In line with Principle 1 — Zero tolerance of inaction — individuals and organisations found not reporting alleged incidents will be viewed as being non-compliant.

Seah Complaint Handling and resolution

Once a SEAH incident report is received it gets forwarded to the CEO or, if the complaint is about the CEO, to the COO. The CEO or the COO responds to the author of the complaint thanking them for their concern and bringing it to So They Can's attention and informing them the matter will be investigated.

Reports of SEAH of individuals under the age of 18 will be handled according to procedures outlined in So They Child Protection Policy.

The CEO will instruct a case manager to investigate. The Board, the CEO, or the Program Implementation manager will become the case manager in charge of the investigation according to:

- If a complaint is about a So They Can Country Director then the CEO will manage the investigation.
- If the complaint is about the CEO then the COO will instruct the So They Can Board to manage the investigation.
- Where a complaint does not involve the CEO, and the complaint is of a medium or high risk as specified by a Risk Rating matrix in So They Can's Risk Management Policy, the CEO will inform the So They Can International Board and relevant in country Board of the complaint.

The case manager will do an initial assessment to confirm it is a valid report and begin investigation. This can include corresponding with the informant via the Whispli platform or another channel if details are disclosed by the information. The case manager will keep the So They Can Board and/or the CEO updated on the progress of the investigation.

Once the case manager has finalised their investigation and report, management and the informant will be updated. At this point, the case manager will hand everything over to So They Can executive management for any subsequent action to take place.

Where the complaint is medium or high risk the CEO will inform the author and the Boards of the result of the investigation.

Representatives may also raise their concerns verbally or in writing with their immediate manager, Project Supervisor or Country Manager, or, if not comfortable with doing so, they have the option to raise the matter directly with the CEO or a Board director, and should include full details together with any supporting evidence that may be available. They should state they are using the Whistleblowing Policy and specify whether they wish for their identity to be kept confidential. People choosing to raise their concerns in writing must use the template So They Can Incident Report contained within So They Can Incident Management Plan.

So They Can will ensure that if a SEAH complaint is made :

- It is handled in accordance with the principles outlined in this policy
- as an employer, So They Can meets its equal obligation to both the complainant and the respondent to uphold their rights and provide support
- complaints are dealt with impartially, without bias and in a timely and sensitive manner
- information about a complaint is only provided to those people who need to know in order for the complaint to be actioned properly
- the respondent is informed about any allegations made against them and is given the opportunity to respond to those allegations
- those involved are informed about the process for resolving complaints
- those involved are protected against any victimisation or reprisals and employees are assured that no action will be taken against them if they speak up
- there is a clearly defined review process to ensure the resolution is working satisfactorily and to confirm that no victimisation has resulted from the complaint
- issues are resolved at the most appropriate level of intervention, subject to the rights of the complainant
- DFAT is kept informed about the investigation and the conclusion of the case.

INTERVENTIONS

If an employee believes they have been exposed to SEAH, or has witnessed SEAH, trying to resolve issues at the lowest appropriate level of intervention may sometimes be the most effective and satisfactory way of dealing with unacceptable behaviour.

Self-help and supported self-help

Self-help involves an employee letting the respondent know that their behaviour is unwelcome, inappropriate or offensive and needs to stop. This may resolve the matter quickly and in a low-key

manner. This may be appropriate where sexual harassment is minor and the employee does not feel seriously harmed or threatened by approaching the person.

Self-help actions could be that the employee:

- tells the person directly about the behaviour they do not like, and asks them to stop it
- writes a letter on a 'private and confidential' basis to the person
- takes a support person to tell the person that the behaviour needs to stop.

Employees should not approach someone directly about their behaviour if by doing so they would feel unsafe or threatened in any way.

Resolution may involve a verbal or written apology or agreement on how the parties will behave towards one another in future.

Informal intervention

Another informal way of dealing with sexual harassment and bullying is for an employee to ask for someone else to intervene on their behalf on an informal basis, either their manager or a colleague or friend.

The person who is intervening will:

- discuss what happened and what is needed to resolve the situation
- listen impartially
- clarify the facts being reported
- discover what appropriate action the employee is seeking
- clarify the complaints procedure options and So They Can sexual harassment and bullying policy
- discuss options with the employee and, if appropriate, the respondent and decide on an informal or formal approach
- document the situation and outcome.

If there is agreement on what happened and what will resolve the situation, the issue can be resolved confidentially between the people concerned.

Mediation may be pursued to resolve complaints at this level.

Mediation

In some instances arranging for a complainant and respondent to discuss the complaint with a skilled mediator may be an appropriate way to address the issue. Both parties need to agree to mediation.
Mediation is not always appropriate to resolve behaviour issues, particularly if there is a power imbalance. Mediation may be suitable where:

- there is basic agreement on the facts
- both parties agree to try to resolve the situation through this method
- the harassment is of a low level and serious disciplinary consequences do not appear warranted.

If a complainant and the respondent cannot resolve the complaint through mediation, then formal options are available.

Formal intervention

The decision whether or not to proceed to a formal investigation will be made by the person receiving the complaint in consultation with CEO, or if the CEO is the initial recipient of the complaint, the COO in consultation with at least one member of the So They Can Board of Directors.

OUTCOMES

Where allegations are admitted or substantiated, the outcomes for the respondent of breaching this policy may range from an apology, counselling and training to warnings and dismissal. Disciplinary action will match the seriousness of the breach. Factors considered in determining the level of seriousness include the nature of the conduct and whether or not the person breaching the policy was in a position of trust or authority in relation to the complainant. Outcomes may also include interventions such as supportive counselling, a change in the work environment, or participation in mediation.

Where allegations are not substantiated it may still be appropriate to undertake some action, for example, refresher training or communications training. This ought not to single out or punish the respondent if there has been no finding.

RELATED DOCUMENTS

- So They Can Policy and Manual Register
- So They Can Whistleblowing Policy
- So They Can Partnership and Locally Led Development Policy
- So They Can Risk Management Policy
- So They Can Recruitment Policy
- So They Can Child Protection Policy
- DFAT PSEAH Policy, September 2025

Date	Version	Comment
June 2014	1.0	Sexual harassment and bullying policy
October 2019	2.0	Review of the policy in line with DFAT requirements
October 2021	2.1	2 years policy review, not changes identified at the time
July 2022	2.2	Update of role titles
February 2025	2.2	Bi-annually policy review, no changes
November 2025	2.3	Addition of England & Wales entity in preamble. Policy review in line with DFAT PSEAH review September 2025; change of title to “Protection from…”

ATTACHMENT A

Preventing Sexual Exploitation, Abuse and Harassment Standards

Standards	Essential	Comprehensive
1. PSEAH policy and procedures, including a code of conduct	The organisation has a PSEAH policy/statement or other documented policies and procedures which meet the expectations of DFAT's PSEAH Policy. The organisation has a Code of Conduct which is consistent with DFAT's PSEAH Policy, which includes the prohibition of transactional sex in high-risk settings. All personnel are required to acknowledge they have read and agreed to the organisation's Code of Conduct. Downstream partners are encouraged to develop their own policies, procedures and codes specific to SEAH, but may adopt the policies of their upstream partner if appropriate.	The organisation has a detailed PSEAH Policy and procedures in place which meet the expectations of DFAT's PSEAH Policy and are subject to regular review. The organisation has its own Code of Conduct that is consistent with DFAT's PSEAH Policy, which includes the prohibition of transactional sex in high-risk settings. All personnel are required to acknowledge they have read and agreed to the organisation's Code of Conduct. Downstream partners are encouraged to develop their own policies, procedures and codes specific to SEAH, but may adopt the policies of their upstream partner if appropriate.
2. Reporting mechanism and investigation procedures	The organisation can receive and manage incident reports safely and confidentially. Reporting mechanisms are accessible to all stakeholders. The organisation must report incidents and investigation outcomes to DFAT.	The organisation has a well-publicised, accessible, confidential and safe mechanism for reporting SEAH concerns or incidents which includes protections from retaliation. The organisation has documented procedures for managing SEAH incidents that include trauma-informed responses, procedural fairness, transparent and timely investigation processes, privacy protections and support for victim-survivors, and appropriate disciplinary actions if the incident involves their personnel. The organisation ensures communities are informed about expected behaviours, reporting mechanisms and investigation processes in accessible and culturally appropriate ways. The organisation must report incidents and investigation outcomes to DFAT.

Standards	Essential	Comprehensive
3. Risk management processes	The organisation undertakes a SEAH risk assessment, including mitigation actions tailored to the activities and context, that is reviewed at least annually and revised as needed.	The organisation undertakes a SEAH risk assessment including mitigation actions tailored to the activities and context, that is reviewed at least annually and revised as needed. The organisation must provide documented evidence that senior management and executive boards have visibility of SEAH risk management. The organisation has documented evidence of its expectations for downstream partners and how those partners will manage SEAH risk.
4. PSEAH training	The organisation provides basic PSEAH training to all relevant personnel advising personnel of rights, obligations and responsibilities. Personnel are required to complete the training annually.	The organisation provides comprehensive PSEAH training – regularly reviewed – to all relevant personnel advising personnel of rights, obligations and responsibilities. Personnel are required to complete the training annually.
5. Recruitment and screening processes	The organisation conducts recruitment and integrity screening for all personnel. Screening should include reference checks, recent police checks, Working with Children or Working with Vulnerable People checks, locally appropriate alternatives or, where these are not feasible, a self-declaration.	The organisation conducts recruitment and integrity screening for all personnel. Screening should include reference checks, recent police checks, working with children or working with vulnerable people checks, locally appropriate alternatives or, where these are not feasible, a self-declaration. Additional integrity measures required include targeted messaging and questioning about safeguarding at all stages of recruitment and onboarding, and ongoing monitoring of staff behaviour and adherence to PSEAH and safeguarding policies and processes.